

### **REMARKS/ARGUMENTS**

Applicants thank the Examiner for his careful review of this application. Claims 52-92 remain pending. Applicants respectfully request reconsideration of the application in view of the following remarks submitted in support thereof.

#### **Rejections under 35 U.S.C. §103(a):**

The Examiner rejected claims 52-93 under 35 U.S.C. §103(a), as being unpatentable over US Patent 6,628,15B to Lawrence et al. (Lawrence) in view of US Patent 6,389,589B1 to Mishra et al. (Mishra). Applicants respectfully traverse each and every rejection for at least the following reasons.

The claimed invention provides a device manager on servers, to broker control of devices on a desktop unit (DTU). Each DTU is connected to a single device manager the device manager may e.g., be of a first server, second sever, etc., and all the communication between the device service and the peripheral device takes place through the given device manager. In case the device manager fails, then any service request for the failed device manager is transferred to another device manager of another server, (e.g., a second server). Thus, the claimed invention prevents any single point failure by providing a plurality of device managers that will broker devices on the DTUs to device services.

In claim 52, for example, the request is capable of being transferredd to a second device manager of a second server. The second device manager allocates the device service to the device. In so doing, the first device manager is informed of the allocation by the second device manager. This functionality is not disclosed by the cited art of record.

Further yet claim 54 defines the first communication path between the first and second device managers, and the second common path between the device and the second

device manager. This functionality is also lacking in the teachings of the cited art. Thus, the Examiner is requested to reconsider the patentability of claim 54 and the other dependent claims.

The Applicants respectfully submit that Lawrence does not teach what is suggested by the Examiner. Citing Lawrence, the Examiner asserts that Lawrence discloses a system and method for device management in a grouped server system comprising a plurality of servers operating in a group and a plurality of set top units. In fact, there is nothing in Lawrence that suggests a grouped server system. Lawrence teaches attaching a printer locally to a set top box. What Lawrence is trying to accomplish is to obtain a printer driver for a printer attached locally to a set top box. There is nothing Lawrence that teaches or suggests a device manager in one server and a device manager in another server, where a service request is transferred to a device manager that can handle the service. The Examiner compares set top box of Lawrence to DTU of the claimed invention. Assuming this proposition to be correct, (a proposition which the applicants reject) then a request to obtain a driver is originated at the set top box i.e., the thin client. Whereas, in the claimed invention the request to control a device on a desktop unit originates at the server and the request is managed through the device managers on one or more servers.

According to Lawrence, the printer drivers for the attached printer are obtained from the cable head end on the digital cable network in response to a request from the set top box (Column 2, lines 41-45). The cable head end collects value added services to be distributed over the digital cable network. (Column 1, lines 32-40). The cable head end in Lawrence collects the information, i.e. different printer drivers, and provides it to the set top box so that memory space in the set top box can be freed. Lawrence describes the cable head end as the server and the set top box as the client (Column 6, lines 51-53). There is nothing about the

cable head of Lawrence that teaches or suggests transferring of the request to the second device manager, the allocating of a service through the second device driver and the informing the first device manager allocation (i.e., communication between the two device drivers).

The next reference Mishra teaches a computer network with centralized management and deployment of applications. The computer network in Mishra includes centralized class stores such that applications and components are made centrally available so that updates to components or applications are performed once in a centralized location. Thereby, users may automatically obtain new versions of applications as they become available. In Mishra, if the server which contains the centralized class store fails, then the users do not have any other recourse because Mishra does not teach transferring service request to a second device manager of a second server. In the claimed invention, the second device manager allocates the device service to the device. As a result, the combination of Lawrence and Mishra would not have taught device management in a grouped server system wherein the request gets transferred from one server to the other to provide uninterrupted device operations.

The Applicants respectfully submit that neither one of the cited references nor the combination of the references suggest combining the teachings of the cited references as suggested by the Examiner. The Examiner has interpreted that one of ordinary skill in the art reading Lawrence would have been motivated to use class store schema, which facilitates the management and deployment of applications components and services across a computer network, when an object is not available locally, by searching for the object within various class stores on the internet. The applicants respectfully disagree with the Examiner's interpretation. Mishra does not teach searching for objects within various class stores on the internet. On the contrary, Mishra provides a centralized class stores so that users do not have

to search in several places. Thus, even if Lawrence and Mishra were combinable (a proposition with which the applicants disagrees), the combination of the two references would not have disclosed, suggested, or taught transferring service request from one device manager to another device manger in two different servers.

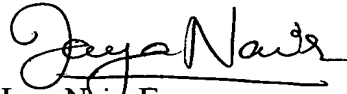
Therefore, it is respectfully submitted that independent claims 52 and 82 are patentable under 35 U.S.C. §103(a) over any combination of the cited prior art. In a like manner, dependent claims 53, 68, 69, 73, 74 82, 87, 92, and 93, which depend directly or indirectly from independent claims 52 and 82, are patentable over Lawrence alone or in combination with Mishra. Similarly, claims 54-56, 78-81, and 89-91 are patentable over Lawrence in view of Mishra at least for the same reasons stated above. Likewise, claims 57-61 and 83-85, which depend directly or indirectly from independent claims 52 and 82, are patentable.

### **Conclusion**

In view of the foregoing, the Applicants respectfully submit that all the pending claims 52-92 are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present Amendment, the Examiner is requested to contact the undersigned at (408) 774-6926. If any additional fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP581). A duplicate copy of the transmittal is enclosed for this purpose.

U.S. Application No. 09/612,141  
Amdt. dated September 8, 2005  
Reply to Office Action of June 8, 2005

Respectfully submitted,  
MARTINE PENILLA & GENCARELLA, L.L.P.

A handwritten signature in black ink, appearing to read "Jaya Nair", with a horizontal line drawn underneath it.

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